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SUBJECT: SERBIA AND UN AGREE ON 6 POINT TEXT ON KOSOVO

Summary

¶1. (SBU) Serbian leaders are positioning themselves to accept EULEX by the November 7 UN Security Council meeting on Kosovo. In preparation, both the UN and Serbian officials have agreed to language on the so-called 6-points which they wish to insert into the SRSG report to the UNSC on November 7. Both sides hope this could then be used as the basis for agreeing to EULEX's deployment. The lead UN negotiator told us that his talks with the Serbians were concluded but he must now sell it to authorities in Pristina, which he recognized would be difficult. Serbian officials have told EU representatives that they intend to agree to EULEX's full deployment throughout all of Kosovo, given certain conditions. We expect that the Serbian government wants any agreement on the 6-point talks in order to strengthen its position before the UN Security Council. We believe the Serbian leadership has no long-term strategy for Kosovo, and is addressing EULEX deployment and the 6-point talks tactically to gain political advantage at home. End Summary.

Getting the "Proper Deal" for the UNSC

¶2. (SBU) Serbian leaders recognize that they need to accept deployment of EULEX (EU Rule of Law Mission in Kosovo) by the November 7 UN Security Council meeting. During an October 20 dinner for visiting CJCS Admiral Mullen, President Boris Tadic said that he expects to achieve an agreement in the next few weeks that would permit EULEX to deploy throughout Kosovo. Foreign Minister Vuk Jeremic said that Serbia sought an agreement with UNMIK representatives on the UN Secretary General's 6-point talks before the November 7 date. Jeremic asked for U.S. "help" to make sure that Serbia had the "proper" deal it needed in time for the UNSC session. Jeremic later said in private to the Ambassador that he realized Serbia would have to accept whatever the UNMIK talks produced, and would have to package it as a success for Serbia (and for the UN Secretary General). Jeremic announced President Tadic would attend the UNSC meeting, further indication that Serbia's leaders recognize they must agree to EULEX at that time. (Tadic seemed to be hearing about his appearance in New York on November 7 for the first time.)

UN and Serbia End Talks, Must Sell To Pristina

¶3. (SBU) The UN and Serbia have agreed on acceptable language for insertion into the SRSG report and now the UN would engage the authorities in Pristina, lead UN mediator, Andrew Ladley told the Ambassador and representatives of the Quint in Belgrade on October ¶22. (The UN tasked Andrew Ladley, a senior expert mediator in the UN's new Standby Team of mediation experts, with continuing the discussion begun by former Acting PDSRSG David Harland.) Ladley did not present us with a text but instead highlighted several key points from the arrangement. According to Ladley, the arrangement

would stipulate that it was for a "limited duration" (undefined) that would apply until it is "changed by the SRSG and until other arrangements are in place." On specific points, Ladley said the Serbs had agreed to a unified chain of command for the police with a senior command post in the chain led by a Serb or an international. On customs, Ladley said the Serbs agreed to a unified customs regime for all of Kosovo, but details still needed to be worked out later. He was less specific on the arrangements reached on other points.

¶4. (SBU) In response, the Ambassador emphasized the 6-point talks must be a dialogue with Pristina, not something the UN and the Serbs arrange between themselves; that there should be no artificial deadlines; and that regardless of the success or failure of these UN-led talks, there must be no link of the 6 point talks to the deployment of EULEX. Ladley said the EULEX deployment "was not contingent" upon the success of these talks. He said the Serbs had realized this as well and were working with the EU on language on EULEX that could also be incorporated into the SRSG report.

¶5. (SBU) EU officials involved in the talks also believe that Serb officials want to squeeze some perception of success from the 6 Point talks. EU Representative in Belgrade Peter Sorensen told us that MFA Political Director Borko Stefanovic gave assurances on October 17 to EU representatives that Serbia would be forthcoming in the Six Point talks, and that these talks would not obstruct or delay EULEX deployment. On October 22, Sorensen told us that, as far as the EU is concerned, the difficulties would not be with UNMIK but rather would be with DPKO.

EU and Serbia Closing the Gap on EULEX

¶6. (SBU) According to Sorensen, Stefanovic said Serbia is willing

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to accept the EULEX deployment throughout Kosovo if the three conditions that the Serbian government has stated publicly numerous times are met. Specifically, the Serbs seek UNSC approval for EULEX; EULEX must remain status neutral; and EULEX cannot be seen as implementing the Ahtisaari proposal.

Weakening of Domestic Opposition to EULEX?

¶7. (U) Serbian opposition to EULEX appears to be weakening in some other political corners as well. On October 20, United Serbia (JS) and government coalition partner Dragan Markovic (aka Palma) said indirectly that Serbia should accept the EULEX mission, stressing though that Kosovo independence was out of the question. "For me there is no difference whether the international forces are called EULEX or UNMIK because UNSC 1244 specifies the presence of international forces, and 95 percent of the states present in EULEX are part of UNMIK too," Markovic said according to B92 media.

¶8. (U) Deputy Prime Minister Ivica Dacic (SPS) reacted to Markovic's statement by reiterating that Serbia's policy on EULEX remained unchanged: the mission could be deployed to Kosovo only with a mandate from the UN Security Council and if it did not implement the Ahtisaari plan.

Comment

¶9. (SBU) Tadic and Jeremic clearly recognize that EULEX is necessary both for Serbia's EU aspirations and for Kosovo's stability, and thus the well-being of Kosovo Serbs, and are eager for a face-saving out that will allow them to say that the EU mission is now acceptable. As they have indicated to us many times since the summer, they seek a statement from the UNSC that will provide political cover (by "legalizing" EULEX). The language they have drafted with the UN may give them that cover domestically, but also leaves a lot of issues open, undetermined, subject to wide interpretation, and lacking any "buy in" from Pristina.

¶10. (SBU) There does not appear to be a longer-term strategy guiding the Serbian government's tactics, however. We believe the Serbian government does not have a clear goal: Tadic denied

emphatically to Admiral Mullen that he supports partition ("that would be unconstitutional") and neither he nor Jeremic are able to articulate a vision of a constructive relationship between Serbia and Kosovo that would lead to a smoother accession to the EU for both countries. Rather, the Serbian leadership seeks to protect itself from attacks from their domestic political opponents on the nationalist right. Tadic and Jeremic apparently believe they can do so, and bless EULEX deployment, on November 7 in New York. End Comment.

MUNTER